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In re	:	DECISION ON APPLICATION
Wiley, et al.	:	FOR PATENT TERM ADJUSTMENT
Application No. 10/030,187	:	AND
Filed: February 4, 2002	:	NOTICE OF INTENT TO ISSUE
Patent No. 6,946,467	:	CERTIFICATE OF CORRECTION
Issued: September 20, 2005	:	

This is a decision on the "REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT AFTER ISSUE OF THE PATENT (37 C.F.R. §1.705(d))," filed November 14, 2005. Applicants request that the initial determination of patent term adjustment under 35 U.S.C. 154(b) be corrected from twenty-eight (28) days to thirty-three (33) days.

The application for patent term adjustment is **GRANTED**.

The patent term adjustment indicated on the patent is to be corrected by issuance of a certificate of correction showing a revised Patent Term Adjustment of **four hundred seventy-one (471)** days.

On September 20, 2005, the above-identified application matured into U.S. Patent No. 6,946,467. The instant request for reconsideration filed November 14, 2005 was timely filed within two months of the date the patent issued. See § 1.705(d). The Patent issued with a Patent Term Adjustment of three hundred fifty-one (351) days. Patentee states that he should not have been assessed applicant delay of one hundred twenty (120) days for the submission of foreign priority documents on March 29, 2004. Patentee states that he did not file priority documents on that date, but rather on that date the PTO received copies of the priority documents from WIPO.

It appears that patentee's assertion is correct. Accordingly, there should have been no applicant delay associated with the filing of priority documents on March 29, 2004.

The \$200.00 fee set forth in 37 C.F.R. § 1.18(e) has been charged to Deposit Account No. 50-1230, as authorized.

The application file is being forwarded to the Certificates of Correction Branch for issuance of a certificate of correction in order to rectify the error regarding the patent term information. See 35 U.S.C. § 254 and 37 C.F.R. § 1.322. The certificate of correction will indicate that the term of the above-identified patent is extended or adjusted by **four hundred seventy-one (471)** days, subject to any disclaimers.

Telephone inquiries specific to this matter should be directed to Cliff Congo, Petitions Attorney, at (571)272-3207.

Kery Fries

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